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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/780,812	02/18/2004	Robert Netherton Brown JR.		1499

7590 08/09/2006

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Frederick, MD 21702

EXAMINER

PARRIES, DRU M

ART UNIT	PAPER NUMBER
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2836

DATE MAILED: 08/09/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/780,812

Applicant(s)

BROWN, ROBERT NETHERTON

Examiner

Dru M. Parries

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 18 February 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-11 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-11 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 18 February 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☐ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 2-18-04.
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1 and 3-10 rejected under 35 U.S.C. 103(a) as being unpatentable over Long et al. (6,552,657). Long teaches dual-igniter airbag control system. He teaches a manually operable switch (15) having portions connected to first wires (111, 115) connecting the monitor (119) to the igniters (103, 105) while the switch is in the ON position, and breaking continuity through the first wires when the switch is in the OFF position. He teaches resistors (139, 151) connected to second wires (113, 117) and connected to switch (15) while in the OFF position. He goes on to teach the resistors having impedances similar to that of each igniter (103, 105) to provide a false indication to the monitor that electrically conductive continuity exists with each igniter (Col. 2, lines 38-41). He also teaches an optical signal device (19) connected to the switch (15) to provide an optical signal while the switch is in the OFF position. He also teaches the poles of the switch (15) being movable in unison when the switch moves between the ON and OFF position. He further teaches a housing (13) mounted within the motor vehicle, the switch (15) and resistors (139, 151) being located in the housing, the switch (15) having a manual engagement portion (17) located on an exterior of the housing for engagement by a user. He also teaches the optical device (19) being mounted to the exterior of the housing. He also teaches a break (121, 123) in the first wires. He also teaches a first pair of leads (135, 147) and a second

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pair of leads (133, 145) extending into the housing. He also teaches the switch having a pole (131, 143) for each igniter. When the switch is in the ON position, it connects the first wires in electrically conducting relationship between the monitor and the igniters, and when in the OFF position connects the first wires with resistors connected to the second wires. He also teaches the switch having at least three poles and is a double throw. (Figs. 1 & 2) Long fails to teach the switch unit (11) having only one resistor for use by the multiple circuits. It would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate both bypass lines (137 & 149) into a single bypass line, since it has been held that rearranging parts of an invention involves only routine skill in the art. *In re Japikse*, 86 USPQ 70, and also since it has been held that omission of an element and its function in a combination where the remaining elements perform the same functions as before involves only routine skill in the art. *In re Karlson*, 136 USPQ 184.

3. Claims 2 and 11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Long et al. (6,552,657) as applied to claim 1 above, and further in view of Bryant et al. (6,043,566).

Long teaches a dual-igniter airbag control system as described above. He fails to teach filter circuits in each ignition circuit to prevent unintentional detonation of an airbag. Bryant teaches an airbag controller comprising a capacitor (54), connected to ground, in the loop of an airbag detection circuit helping to form a filter with resistor (26) to prevent detonation for small current pulses (Col. 3, lines 44-48). It would have been obvious to one of ordinary skill in the art at the time of the invention to implement a capacitive filter into each airbag igniter branch of Long's invention because it will guard against spurious activation caused by RF interference.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dru M. Parries whose telephone number is (571) 272-8542. The examiner can normally be reached on Monday -Thursday from 8:00am to 5:00pm. The examiner can also be reached on alternate Fridays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Brian Sircus, can be reached on 571-272-2800 x 36. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

DMP

7-26-2006


BRIAN SIRCUS
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2800